

56. A method for assembling sort criteria for an information sorting mechanism, the method comprising:

receiving optional primary sort criteria, the primary sort criteria comprising every sort criteria specified by a user, the primary sort criteria comprising an instruction list containing at least one data element identifier;

receiving optional secondary sort criteria;

creating an adapted list of data element identifiers by merging the instruction list with relevant portions of the secondary sort criteria which may include the entire secondary sort criteria; and

sending the adapted list to the information sorting mechanism;

whereby the method adapts secondary sort criteria to user-specified sort criteria, giving a user control over the primary sort criteria while retaining the benefit of the secondary sort criteria.

#### **Remarks - General**

Applicant has rewritten the Claims 1 to 28 as new Claims 29 to 56 to describe the invention more distinctly so as to overcome the technical rejections and define the invention in a patentable manner over the cited prior art.

Parenthetical abbreviations such as (ACFS) and (ISM) have been removed from all claims, with all terms spelled out in full.

Here's an informal guide that links the claims to the Figures:

Claim 2 (new claim 30): Figure 2a

Claim 3 (new claim 31): Figure 2b

Claim 12 (new claim 40): Figure 2c

### **Claim Objections as to Informality**

Claims have been rewritten without bullets and without the terms "and/or", "zero or more", "if any".

Claims have been rewritten to consistently use the correct spelling of "identifier".

In claim 25, rewritten as new claim 53, VDU is now spelled out: visual display unit. (This term is discussed in the original specification: page 8, lines 16-18.)

### **Claim Rejections - 35 USC §112**

Claims 1-28 were rejected under §112 as being indefinite. Claim 1 has been rewritten as new claim 29 to make it clear that the instruction port receives primary sort criteria comprising EVERY sort criteria specified by a user.

It is well known in the art that users may specify a plurality of data elements as sort criteria (applicant, page 4, lines 1-3). This plurality arrives together on the instruction port. As discussed in the specification, the secondary sort criteria is something different. For example, it may be a default multi-level sort (applicant, page 10, line 12) or an implied sort (applicant, page 10, lines 18-19). In light of the application disclosure, applicant believes that the revised claims now distinctly claim the invention's subject matter: adapting secondary sort criteria to user-specified sort criteria, giving the user control over the primary sort criteria while retaining the benefit of the secondary sort criteria.

Claims 2-28 have been rewritten as new claims 30-56 to more clearly define applicant's invention using terms from the specification and drawings.

Claim 1 has been rewritten as new claim 29 to provide proper antecedent basis for the limitation "the primary sort order" and other terms.

Claims 24 and 25, which are new Claims 52 and 53, have been rewritten in independent form.

**Claim Rejections - 35 USC §103**

Claims 1-6 were rejected as being unpatentable over AddressPro. There is in fact a superficial similarity based on the phrase "secondary sort field" in the AddressPro documentation: "The entry you choose for the secondary sort field is used to sort the list if the records has the same data in the main sort field" (AddressPro, 6.2). However, it's clear that this description is an example of what is known in the art as a multi-level sort (applicant, page 3, lines 21-24), where "has the same data" (AddressPro) means the same as "every identical value" (applicant). In AddressPro, both the "main" and the "secondary" sort fields are selected by the user from the same source: the "Sorting and preferences panel". In the context of applicant's invention, both of AddressPro's sort fields are part of the instruction list and arrive together at the instruction port. AddressPro does not disclose default or implied sort criteria, which are the two illustrative examples of applicant's "secondary sort criteria"; i.e. AddressPro does not contain a secondary port and does not have two different LISTs that could be merged.

There are prior art systems that disclose default criteria, but these criteria are replaced by the user's criteria in the prior art (applicant, page 4, lines 3-5). In applicant's invention, the user's criteria and default criteria are merged to provide the benefits of both.

**AddressPro lacks implied data elements**

AddressPro, like all known prior art systems, does not include implied data elements as part of the sort. Here is a simple test (derived from applicant, page 4, lines 7-11). Create a database with 2 fields, "City" and "State". Create 3 records: "Boston, MA" and "Quincy, MA" and "Nashua, NH". Now, sort by City. The records will be ordered as follows: "Boston, MA; Nashua, NH; Quincy, MA" -- i.e. literally by City with no regard to the contents of other fields. And, in many cases, that's exactly what the user wanted. However, in other cases, what the user wanted was something more abstract: to sort by location. Applicant's invention fills this need by merging the user's explicit criteria with implied criteria.


**Conclusion**

For all of the above reasons, applicant submits that the specifications and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

**Conditional Request for Constructive Assistance**

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason, this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. §2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



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